



September 2, 2005

BY ELECTRONIC FILING

Ms. Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *Subscriber Acknowledgement Report September 2, 2005,
WC Docket Nos. 04-36, 05-196*

Dear Ms. Dortch:

Phonom LLC ("Phonom") submits this Report in response to the August 26, 2005 Public Notice ("the Public Notice") in the dockets listed above. Phonom respectfully requests leave to submit this Report one day out of time, on September 2, 2005, as Phonom's counsel was unable to gather all of the responsive information between the issuance of the Public Notice on August 26, 2005 and the due date of September 1, 2005.

- In addition to its previous notices to customers, which it began sending to each subscriber when it started offering service in January 2004, Phonom completed sending the recently mandated notices and warning stickers to 100% of its subscribers on or before August 18, 2005.
- Approximately 62% of Phonom's residential subscribers and approximately 63% of Phonom's business subscribers submitted affirmative acknowledgement of Phonom's notices in written or electronic form, or in response to Phonom's third-party verification calls.
- If it does not receive affirmative acknowledgement from 100% of its subscribers, disconnection of particular customers who have not provided affirmative acknowledgement by September 28, 2005 will be handled on case-by-case basis. As Phonom previously reported, in its conversations with state public utility commission staff, Phonom has been advised that such staff do not favor the disconnection of service to all non-responding subscribers.
- If it does proceed with a "soft" or "warm" disconnect procedure, Phonom expects that it will allow customers to continue to make E911 calls, but will redirect all non-E911 outbound calls to Phonom's call center to require an affirmative acknowledgement before outbound service is restored.

Please contact me at 757.248.4160 if you have any questions about this report.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stephen T. Perkins".

Stephen T. Perkins
Counsel

cc: Mr. Byron McCoy (byron.mccoy@fcc.gov)
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